

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 23-cr-201 (JWB/LIB)

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER OF DETENTION

STEPHAN JEREMIAH HANSEN,

Defendant.

This matter came before the Court on May 26, 2023, for an initial appearance. Mr. Hansen was represented by Manny Atwal of the Federal Defender's Office. The United States was represented by Assistant United States Attorney Ruth Shnider. Mr. Hansen appeared from the Douglas County Jail by video-conference and gave his consent on the record to proceed with the initial appearance by video-conference.

At the hearing, the Government made an oral motion to have Mr. Hansen detained pending trial. Mr. Hansen stated that he wished to waive his right to a detention hearing and remain in federal custody. Accordingly, for the reasons set forth below, the Court orders him detained.

FINDINGS AND CONCLUSIONS

Mr. Hansen is charged with four counts of production of child pornography under 18 U.S.C. § 2251. As "offense[s] involving a minor victim," these charges trigger a rebuttable presumption of detention under 18 U.S.C. § 3142(e)(3)(E).

Under 18 U.S.C. § 3142, pretrial detention may be ordered if the Government shows by clear and convincing evidence that release will result in a danger to the community, or if the Government shows by a preponderance of the evidence that release will result in a serious risk of flight. *United States v. Abad*, 350 F.3d 793, 797 (8th Cir. 2003); *United States v. Sazenski*, 806 F.2d 846, 848 (8th Cir. 1986).

As reflected in the bond report, Mr. Hansen has been in custody on related state charges for several months, and still has a large bail set in Carlton County. In light of this fact, at the initial appearance, Mr. Hansen stated that he wished to waive his right to a detention hearing and would agree to remain in federal custody. The Court and defense counsel made appropriate inquiries about Mr. Hansen's decision on the record, and the Court finds that his waiver was knowing and voluntary.

Based on the rebuttable presumption that applies in this case, and Mr. Hansen's waiver, the Court finds that the presumption has not been rebutted, and that the Government has thus met its burden to show by a preponderance of the evidence that no combination of conditions would adequately assure Mr. Hansen's future appearance. If Mr. Hansen believes in the future that changed circumstances warrant reopening the question of detention, he may bring an appropriate motion before the Court.

CONCLUSION

Accordingly, IT IS HEREBY ORDERED that:

1. The motion of the United States for detention of Mr. Hansen is granted;

2. Mr. Hansen is committed to the custody of the United States Marshals for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. Mr. Hansen shall be afforded reasonable opportunity to consult privately with his lawyer; and

4. Upon Order of the Court or request by the United States Attorney, the person in charge of the corrections facility in which Mr. Hansen is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with a court proceeding.

Dated: May 31, 2023

s/Leo I. Brisbois
Leo I. Brisbois
United States Magistrate Judge